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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,606	02/06/2004	Ki Il Kim	17226-3	7765

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PASADENA, CA 91101

EXAMINER

TRAN, TUAN A

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/773,606

Applicant(s)

KIM, KI IL

Examiner

Tuan A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42 and 45-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 42 and 45-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group IV (claims 42-45) in the reply filed on 03/08/2007 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 42, 45-50, 53-55, 57, 59, 62, 64-65, 69-70 and 74-78 are rejected under 35 U.S.C. 102(e) as being anticipated by Naim (6,694,200).

Regarding claims 42, 45-50, 53-55, 57, 59, 62, 64-65, 69-70 and 74-78, Naim discloses a portable handheld multimedia player/cellular telephone (See figs. 1 and 3) comprising: a microcontroller; memory including built-in memory and replaceable memory card for storing audio/video contents wherein the audio/video contents comprises sounds (i.e. music), still images (i.e. picture), combined sound with moving images (video); means for recording and playback from the memory the audio/video contents, wherein means for recording comprises audio recorder including microphone, video recorder including camera; speaker, display, earphone and control buttons (media player is widely

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known in the art to comprise volume control such as up/down or muting) for audio/video playback functions; card socket for receiving, securing and removing the replaceable memory card; means for uploading/downloading audio/video contents to/from external devices (i.e. PC or cable set-top box), Internet and Intranet via wired/wireless connections; and means for communicating with other cellular telephones (See figs. 1, 3 and col. 4 line 42 to col. 10 line 41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 56, 58, 60-61, 63, 66, 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naim (6,694,200).

Regarding claims 56, 58, 60-61, 63, 66, 72-73, Naim discloses as cited in claims 42, 46, 47, 48 and 49. However, Naim does not explicitly mention the portable handheld multimedia player/cellular telephone has GPS device for displaying GPS location information (navigation device), radio, wireless earphone, capturing/detecting sensor, satellite phone, interface for connecting with an electronic stethoscope, motion sensor, or smoke sensor. Since Naim does suggest that the portable handheld multimedia player/cellular telephone can be integrated/interface with other devices (See col. 6 line 55 to col. 7 line 3, col. 9 lines 25-40, col. 10 lines 24-34) and navigation device, radio, wireless earphone,

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capturing/detecting sensor, satellite phone, interface for connecting with an electronic stethoscope, motion sensor, or smoke sensor are known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the portable handheld multimedia player/cellular telephone, as disclosed by Naim, for integrating/interfacing with such devices for the advantage of expanding the capability of the system to various functions.

Regarding claim 71, Naim discloses as cited in claim 57. However, Naim does not mention that the portable handheld multimedia player/cellular telephone comprises means for remote activation one of the microphone or camera (remote activation of recording function). Since media player having remote control for remote controlling its function such as playing or recording is well known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the portable handheld multimedia player/cellular telephone with a remote control for the advantage of allowing user to remotely control the device.

3. Claims 51-52 and 67-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naim (6,694,200) in view of Kondo (6,616,053).

Regarding claims 51-52 and 67-68, Naim discloses as cited in claims 42, 46, 48 and 49. However, Naim does not explicitly mention that the card socket comprises a spring for directly contacting the replaceable memory card for removing the card from the socket and the replaceable memory card comprises

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corner-cut rectangular shape for matching the shape of the card socket when the entire card is positioned therein. Kondo teaches card socket comprises a spring for directly contacting a replaceable memory card for removing the card from the socket and the replaceable memory card comprises corner-cut rectangular shape for matching the shape of the card socket when the entire card is positioned therein (See figs. 22-28 and col. 10 line 6 to col. 11 line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Kondo in modifying the replaceable memory card with its card socket for the advantage of preventing incorrect insertion of the memory card as well as allowing user to judge whether the card is going to be inserted correctly or incorrectly based on the corner-cut of the memory card.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ozawa (5,870,710); Lee (5,787,399); Allen (5,737,491); Janky (5,914,941).

Conclusion

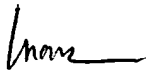
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Tran whose telephone number is (571) 272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tuan Tran
AU 2618